

# Senate File 323 - Introduced

SENATE FILE \_\_\_\_\_  
BY CONNOLLY

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to certain property eligible for an exemption  
2 from property taxation, providing a refund of property taxes  
3 in certain circumstances, and including effective and  
4 retroactive applicability date provisions.  
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
6 TLSB 1616XS 82  
7 sc/es/88

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1 1 Section 1. Section 427.3, Code 2007, is amended to read as  
1 2 follows:  
1 3 427.3 ABATEMENT OF TAXES OF CERTAIN EXEMPT ENTITIES.  
1 4 The board of supervisors may abate the taxes levied against  
1 5 property acquired by gift or purchase by a person or entity if  
1 6 the property acquired by gift or purchase was transferred to  
1 7 the person or entity after the deadline for filing for  
1 8 property tax exemption in the year in which the property was  
1 9 transferred and the property acquired by gift or purchase  
1 10 would have been exempt under section 427.1, subsection 7, 8,  
1 11 or 9, if the person or entity had been able to file for  
1 12 exemption in a timely manner.

1 13 Sec. 2. REFUND OF PROPERTY TAXES. Notwithstanding the  
1 14 deadline for filing a claim for property tax exemption for  
1 15 property described in section 427.1, subsection 8 or 9, and  
1 16 notwithstanding any other provision to the contrary, the board  
1 17 of supervisors of a county having a population based upon the  
1 18 latest federal decennial census of more than eighty-eight  
1 19 thousand but not more than ninety-five thousand shall refund  
1 20 the property taxes paid, with all interest, penalties, fees,  
1 21 and costs which were due and payable in the fiscal year  
1 22 beginning July 1, 2002, and in the fiscal year beginning July  
1 23 1, 2005, on the land and buildings of an institution that  
1 24 purchased property and that did not receive a property tax  
1 25 exemption for the property due to the inability or failure to  
1 26 file for the exemption. To receive the refund provided for in  
1 27 this section, the institution shall apply to the county board  
1 28 of supervisors by October 1, 2007, and provide appropriate  
1 29 information establishing that the land and buildings for which  
1 30 the refund is sought were used by the institution for its  
1 31 appropriate objectives during the fiscal year beginning July  
1 32 1, 2002, and during the fiscal year beginning July 1, 2005.  
1 33 The refund allowed under this section only applies to property  
1 34 taxes, with all interest, penalties, fees, and costs, due and  
1 35 payable in the fiscal year beginning July 1, 2002, and in the  
2 1 fiscal year beginning July 1, 2005.

2 2 Sec. 3. IMMEDIATE EFFECTIVE DATE. Section 2 of this Act,  
2 3 being deemed of immediate importance, takes effect upon  
2 4 enactment and applies retroactively to property taxes due and  
2 5 payable in the fiscal year beginning July 1, 2002, and in the  
2 6 fiscal year beginning July 1, 2005.

## 2 7 EXPLANATION

2 8 Current law allows county boards of supervisors to abate  
2 9 property taxes levied against property acquired by gift by a  
2 10 library or art gallery or by a religious, literary, or  
2 11 charitable institution or society or by an educational  
2 12 institution if the transfer took place after the deadline for  
2 13 filing for a tax exemption, if such entity would have been  
2 14 entitled to the tax exemption on the donated property had  
2 15 there been a timely filing. This bill includes property of  
2 16 such institutions or societies acquired by purchase.  
2 17 The bill also requires the board of supervisors of a county  
2 18 with a population of more than 88,000 but not more than 95,000

2 19 to refund the property taxes paid by a religious, literary, or  
2 20 charitable institution or society or by an educational  
2 21 institution for FY 2002=2003 and FY 2005=2006 on property  
2 22 purchased by the institution or society if the institution or  
2 23 society was unable to or failed to file for a property tax  
2 24 exemption in a timely manner for those fiscal years. To  
2 25 receive the refund, the institution or society must apply for  
2 26 the refund by October 1, 2007. This section of the bill takes  
2 27 effect upon enactment and applies retroactively to property  
2 28 taxes due and payable in the fiscal year beginning July 1,  
2 29 2002, and in the fiscal year beginning July 1, 2005.  
2 30 LSB 1616XS 82  
2 31 sc:rj/es/88